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**Response under 37 C.F.R. 1.116
- Expedited Examining Procedure -
Examining Group 1752**

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Customer No. 01333

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kevin B. Ray, et al

**THERMALLY SENSITIVE
IMAGEABLE ELEMENT**

Serial No. 10/802,533

Filed 17 March 2004

Group Art Unit: 1752

Examiner: WALKE, Amanda

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Sherryl A. Payne
Sherryl A. Payne

February 7, 2006
Date

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Sir:

REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. 1.116

In response to the FINAL Office Action mailed December 13, 2005, Applicants respectfully request reconsideration and allowance of the present application for the following reasons. No amendments are presented for the specification or claims.

Rejection Under 35 U.S.C. §102(b)

Claims 1-24 have been rejected as anticipated by WO 2001/96119 (Savariar-Hauck et al.). This rejection is respectfully traversed again for the following reasons.

It is axiomatic that for a reference to anticipate a claimed invention, every feature of that invention must be described in the reference. That is not the case with the presently claimed invention and the cited Savariar-Hauck et al. reference.